

SENATE—Friday, March 5, 1999

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by a guest Chaplain, Father Paul Lavin of St. Joseph's on Capitol Hill Church, Washington, DC.

PRAYER

The guest Chaplain, Father Paul Lavin, St. Joseph's on Capitol Hill Church, Washington, DC, offered the following prayer:

Listen to the word of the prophet Isaiah: "If you remove from your midst oppression, false accusation and malicious speech; if you bestow your bread on the hungry and satisfy the afflicted; then light shall rise for you in the darkness, and the gloom shall become for you like midday; then the Lord will guide you always and give you plenty even on the parched land."—Is. 58:9-11 NAB.

Let us pray:

Lord, we thank You and we praise You for the goodness of our people and for the spirit of justice that fills our Nation. We thank You for the beauty and the fullness of the land and for the challenge of the cities. We thank You for our work, for our rest, for one another, and for our homes.

Look with favor on the men and women who serve in this Senate. Help them to foster love and to uphold justice and right. Strengthen them and strengthen all of us with Your grace and wisdom, for You are God forever and ever.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. JEFFORDS. Mr. President, this morning, the Senate will resume consideration of S. 280, the Education Flexibility Partnership Act. Amendments are expected to be offered this morning. Therefore, Members should expect at least one rollcall vote by 10:30 a.m.

As a reminder to all Senators, a cloture motion was filed last night to the Jeffords substitute amendment, and the vote has been set to occur at 5 p.m. on Monday. Also, under rule XXII, Members have until 1 p.m. today to file first-degree amendments to the substitute.

I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. DEWINE). Under the previous order, the leadership time is reserved.

EDUCATIONAL FLEXIBILITY PARTNERSHIP ACT OF 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 280, which the clerk will report.

The bill clerk read as follows:

A bill (S. 280) to provide for education flexibility partnerships.

The Senate resumed consideration of the bill.

Pending:

Jeffords amendment No. 31, in the nature of a substitute.

Bingaman amendment No. 35 (to amendment No. 31), to provide for a national school dropout prevention program.

Lott amendment No. 37 (to amendment No. 35), to authorize additional appropriations to carry out part B of the Individuals with Disabilities Education Act.

Mr. JEFFORDS. Mr. President, this week the Senate has been debating S. 280, the Education Flexibility Partnership Act of 1999. During the debate, we have heard various interpretations of Ed-Flex. I want to take a moment to remind my colleagues about the idea behind Ed-Flex.

The Department of Education, under the leadership of Secretary Riley, has stated that Ed-Flex authority will help States in "removing potential regulatory barriers to the successful implementation of comprehensive school reform" efforts.

Under Ed-Flex, the Department of Education gives a State some authority to grant waivers to a State, giving each State the ability to make decisions about whether some school districts may be granted waivers pertaining to certain Federal requirements.

I would like to remind my colleagues that States cannot waive any Federal regulatory or statutory requirements relating to health and safety, civil rights, maintenance of effort, comparability of services, equitable participation of students and professional staff in private schools, parental participation and involvement, and distribution of funds to State or local educational agencies. It is very limited, but very helpful.

I believe this week, working in a bipartisan fashion, we strengthen the accountability aspects of the Ed-Flex bill even beyond that of the bill that was passed out of committee last year by a vote of 17-1. The accountability fea-

tures of the bill are designed to improve school and student performance, which should be the mission of every education initiative.

For a moment it appears that the debate on this bill has become mired in a debate over other education proposals not related to education flexibility but related to the Elementary and Secondary Education Act.

The Elementary and Secondary Education Act is the foundation for most Federal programs designed to assist students and teachers in our elementary and secondary schools. This year, this legislation is up for review.

As we embark on a new century, it is the perfect opportunity for us to examine the Federal role in our educational delivery system. The Senate Committee on Health, Education, Labor, and Pensions—the HELP Committee—is currently engaged in the hearing process and has been since last December.

Through the hearing process, we are evaluating currently authorized programs and exploring new ideas. The first hearing the committee held this year in regard to education examined various initiatives that have been introduced by Members of this body. The Elementary and Secondary Education Act is the most important education legislation we will consider this year, and probably the most important one we have. There are a lot of good ideas that are being discussed in and out of this Chamber that deserve a thorough review.

It is for this reason that we should not be debating these issues as amendments to the Ed-Flex bill but should be debating these proposals in the context of the Elementary and Secondary Education Act, so that they can receive adequate attention in determining their merits.

For this fiscal year, the Federal Government is currently spending approximately \$15 billion on programs related to elementary and secondary education. This figure excludes special education and vocational education.

How are these dollars being spent? Who is being served? Is student performance improving? What types of professional development programs are helpful to our classroom teachers? Are those teacher training activities translated into better teaching methods? What are the proper roles for the various levels of government? These are questions that must be, and will be, addressed in the coming months during the Elementary and Secondary Education reauthorization.